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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**
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6 RUBEN MATADAMOS-SERRANO,
7 Plaintiff(s),
8 v.
9 CLARK COUNTY PUBLIC DEF.,
10 Defendant(s).

Case No. 2:22-cv-00757-GMN-NJK

REPORT AND RECOMMENDATION

11 Plaintiff filed this action seeking mandamus relief from the Nevada Supreme Court. *See,*
12 *e.g.*, Docket No. 1-1 at 1. The captions for Plaintiff's filings are addressed to the Nevada Supreme
13 Court, *see, e.g.*, Docket No. 1 at 1, as is the envelope for Plaintiff's filing, Docket No. 1-1 at 26.

14 On June 9, 2022, the Court ordered Plaintiff to clarify the Court from which he is seeking
15 relief by June 23, 2022. Docket No. 7. In so doing, the Court explained that a federal district court
16 does not have appellate jurisdiction over a state court, whether by direct appeal, mandamus, or
17 otherwise. *Id.* at 1 n.1 (citing *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923)). The Court also
18 warned that a “[f]ailure to respond to this order will result in a recommendation that this case
19 be dismissed.” *Id.* (emphasis in original). Despite that warning, Plaintiff did not respond to the
20 Court's order.

21 In short, Plaintiff does not seek relief from this Court. Despite an opportunity to explain
22 why Plaintiff's claim for relief should (or could) be pursued in this Court, no such explanation has
23 been provided. Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED**
24 without prejudice to Plaintiff seeking relief in an appropriate tribunal.

25 Dated: June 29, 2022

26 
27 Nancy J. Koppe
28 United States Magistrate Judge

NOTICE

This report and recommendation is submitted to the United States District Judge assigned to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation must file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).